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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,612	07/12/2001	Theodore J. Bowers	47004.000097	1294

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EXAMINER

PYZOCHA, MICHAEL J

ART UNIT PAPER NUMBER

2137

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/902,612	Applicant(s) BOWERS ET AL.	
	Examiner Michael Pyzocha	Art Unit 2137	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.  
 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10, 28-37 and 55-58 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-10, 28-37, and 55-58 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-10,28-37, and 55-58 are pending.
2. Amendment filed 08/28/2006 has been received and considered.

5

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

10 (a) A patent may not be obtained though the invention is not identically  
disclosed or described as set forth in section 102 of this title, if the  
differences between the subject matter sought to be patented and the prior  
art are such that the subject matter as a whole would have been obvious at  
15 the time the invention was made to a person having ordinary skill in the  
art to which said subject matter pertains. Patentability shall not be  
negated by the manner in which the invention was made.

4. Claims 1-10,28-37, and 55-58 are rejected under 35 U.S.C.  
20 103(a) as being unpatentable over Black, U.S. Patent No.  
6,754,833, in view of Carden (Carden, Philip. "The New Face of  
Single Sign-On". Network Computing. March 22, 1999).

As per claims 1 and 28, the Applicant discloses a method comprising the following limitations which are met by Black in  
25 view of Carden: a) receiving a request to access partner system resources through said host system, said host system comprising a financial service provider system with which said user has one

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or more financial accounts (Col 3, lines 15-31; Col 7, line 65 to Col 8, line 13); b) receiving host system data (Col 6, lines 48-63, Col 7, line 52 to Col 8, line 13); c) identifying said host system (Col 6, lines 48-63, Col 7, line 52 to Col 8, line 13); d) receiving user data (Col 6, lines 48-63, Col 7, line 52 to Col 8, line 13); e) identifying said user based at least in part on said user data (Col 6, lines 48-63, Col 7, line 52 to Col 8, line 13); f) identifying said user's financial account data (Col 6, lines 48-63, Col 7, line 52 to Col 8, line 13); g) providing discriminated partner system resources to said user, said discriminated partner system resources being selected based at least upon a preexisting association between the host system and the partner system, a preexisting association between the user and the partner system, and said user's financial account data (Col 3, lines 15-67, Col 4, lines 1-45, Col 7, line 65 to Col 8, line 13); wherein providing discriminated partner system resources comprises creating discriminated partner system resources identified with said host system comprising: h) identifying graphical information used by said host system (Col 9, line 38 to Col 10, line 6); i) replicating said graphical information (Col 9, line 38 to Col 10, line 6); j) classifying said host system (Col 9, line 38 to Col 10, line 6); k) incorporating said replicated graphical information and said

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non-conflicting additional partner system resources into a standard partner system resource to create a discriminated partner system resource (Col 6, lines 48-63, Col 7, line 52 to Col 8, line 13).

5           Black discloses limitations of the above claim. However, Black does not disclose a single login session. Carden discloses this idea. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Carden's single sign on (SSO) with Black because having  
10       SSO makes the system easier to use and may reduce the number of passwords a user must remember.

As per claims 2 and 29, Black discloses wherein receiving host system data includes receiving host system data from said host system (Col 3, lines 15-31).

15           As per claims 3 and 30, Black discloses wherein identifying said host system comprises identifying said host system based at least in part on said host system data (Col 6, lines 48-63, Col 7, lines 52-67, Col 8, lines 1-13).

As per claims 4 and 31, Black discloses wherein receiving  
20       user data includes receiving user data from said host system (Col 7, lines 65-67, Col 8, lines 1-8, 51-67, and Col 9, lines 1-6).

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As per claims 5 and 32, Black discloses authenticating said request to access partner system resources (Col 7, lines 52-67, Col 8, lines 1-13, 51-67).

As per claims 6 and 33, Black discloses transmitting said discriminated partner system resources to at least one of said host system and said user (Col 7, lines 65-67, Col 8, lines 1-8, 51-67, Col 9, lines 1-6).

As per claims 7 and 34, Black discloses wherein said partner system resources and host resources are accessible through a web browser (Col 3, lines 15-48).

As per claims 8 and 35, Black discloses wherein said user data includes a user name and a password (Col 8, lines 51-67, Col 9, lines 1-6).

As per claims 9 and 36, Carden teaches wherein said user data comprises authentication data provided by a single sign on (pages 1-2).

As per claims 10 and 37, Black discloses selecting based at least in part on the financial account data, a discriminated web page identified with the host system from a plurality of discriminated web pages (Col 10, lines 44-67, Col 11, lines 1-12; Col 7, line 65 to Col 8, line 13).

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As per claims 55 and 57, the applicant describes the method of claims 1 and 28, which are met by Black in view of Carden, with the following limitation which is also met by Black:

Wherein said additional partner system resources comprise  
5 financial information (Col 9, line 61 to Col 10, line 6).

As per claims 56 and 58, the applicant describes the method of claims 1 and 28, which are met by Black in view of Carden, with the following limitation:

Wherein said additional partner system resources comprise  
10 incentive reward information.

Black in view of Carden discloses all the limitations of claims 1 and 28. However, Black in view of Carden appear to fail to disclose that the additional partner system resources may, specifically, include incentive reward information.

15 Examiner takes official notice that providing incentive reward information is known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to provide incentive reward information as a means to bolster a user's use/support of the system.

20

### ***Response to Arguments***

5. Applicant's arguments filed 08/28/2006 have been fully considered but they are not persuasive. Applicant argues that

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Black and Carden fail to disclose examining the user's financial information to present resources to the user; Black and Carden fail to disclose a host system (or even a partner system) being "a financial service provider system with which a user of the

5 host system has one or more financial accounts," "identifying said user's financial account data," "providing discriminated partner system resources to said user...selected based at least upon...said user's financial account data," and "wherein providing discriminated partner system resources comprises

10 creating discriminated partner system resources identified with said host system comprising: identifying graphical information used by said host system, replicating said graphical information, classifying said host system, identifying non-conflicting additional partner system resources that do not

15 conflict with said host system's classification, and incorporating said replicated graphical information and said non-conflicting additional partner system resources into a standard partner system resource to create a discriminated partner system resource"; there is no or little reason to

20 discriminate the partner resource relative to the host resources; Carden fails to disclose a single login session; there is no motivation because Examiner relied upon hindsight;

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and Black and Carden fail to disclose incentive reward information.

With respect to Applicant's argument that Black and Carden fail to disclose examining the user's financial information to present resources to the user, this limitation is taught in columns 7 and 8 where a user has an account, which allows a user to perform financial transactions based on the information in the user account. Therefore the user account, which contains financial information, must be examined in order to process the transaction.

With respect to Applicant's argument that Black and Carden fail to disclose a host system (or even a partner system) being "a financial service provider system with which a user of the host system has one or more financial accounts," "identifying said user's financial account data," "providing discriminated partner system resources to said user...selected based at least upon...said user's financial account data," and "wherein providing discriminated partner system resources comprises creating discriminated partner system resources identified with said host system comprising: identifying graphical information used by said host system, replicating said graphical information; classifying said host system, identifying non-conflicting additional partner system resources that do not

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conflict with said host system's classification, and  
incorporating said replicated graphical information and said  
non-conflicting additional partner system resources into a  
standard partner system resource to create a discriminated  
5 partner system resource" these arguments fail to comply with 37  
CFR 1.111(b) because they amount to a general allegation that  
the claims define a patentable invention without specifically  
pointing out how the language of the claims patentably  
distinguishes them from the references. All of these  
10 limitations have been shown to have been previously disclosed as  
given in the rejection above and will not be repeated.

With respect to Applicant's argument that there is no or  
little reason to discriminate the partner resource relative to  
the host resources, Applicant gives reasons why one might want  
15 to discriminate between the resources, these reasons are not  
claimed limitations and are therefore not given patentable  
weight. Although the claims are interpreted in light of the  
specification, limitations from the specification are not read  
into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d  
20 1057 (Fed. Cir. 1993). Furthermore, Black (in columns 9 and 10)  
teaches the discriminating between the two resources and  
therefore the limitation, as claimed, is disclosed by Black.

With respect to Applicant's argument that Carden fails to disclose a single login session, however this is specifically what Carden teaches and when the combination is made, the combined references of Black and Carden teach a single login session for providing discriminated partner system resources to a user of a host system.

With respect to Applicant's argument that there is no motivation because Examiner relied upon hindsight, Carden specifically discloses that the single sign-on system "solutions assist users by reducing the number of passwords the must remember, making systems easier to use". Therefore, Carden specifically teaches one of ordinary skill in the art why one would want to implement a SSO in a password protected multi system situation such as that of Black. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is

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proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

With respect to Applicant's argument that Black and Carden fail to disclose incentive reward information, official notice  
5 was taken with respect to this limitation as provided above.

### **Conclusion**

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

10 A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened  
15 statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than  
20 SIX MONTHS from the mailing date of this final action.

This action has been made non-final. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone

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number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJP

  
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